

Map ID
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Elevation

MAP FINDINGS

EDR ID Number
EPA ID Number

JZ1379
ENE
> 1
1.741 mi.
9193 ft.
GETTY PETROLEUM CORP
2112 AVE Z
BROOKLYN, NY 11235
Site 2 of 4 in cluster JZ

NY LTANKS
NY Spills
RCRA NonGen / NLR
NY MANIFEST
1000990444
NYR000004036

Relative:
Higher

Actual:
10 ft.

LTANKS:
Name: 2112 AVENUE Z
Address: 2112 AVENUE Z
City,State,Zip: BROOKLYN, NY
Spill Number/Closed Date: 9401301 / 2003-02-27
Facility ID: 9401301
Site ID: 182168
Spill Date: 1994-04-27
Spill Cause: Tank Failure
Spill Source: Gasoline Station or other PBS Facility
Spill Class: B3
Cleanup Ceased: Not reported
SWIS: 2401
Investigator: TOMASELLO

Referred To: Not reported
Reported to Dept: 1992-04-27
CID: Not reported
Water Affected: Not reported
Spill Notifier: Responsible Party
Last Inspection: Not reported
Recommended Penalty: False
Meets Standard: False
UST Involvement: True
Remediation Phase: 0
Date Entered In Computer: 1994-04-28
Spill Record Last Update: 2005-05-09
Spiller Name: Not reported
Spiller Company: Not reported
Spiller Address: Not reported
Spiller County: 001
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Extention: Not reported
DEC Region: 2
DER Facility ID: 152697
DEC Memo: "See also closed spill #'s: 9108824, 9401301, 9413634, 9501297, 9502664, and open spill 9309371."

Remarks: "TANK HAD 300-400 GALLON YESTERDAY & IS DRY TO DAY."

All Materials:
Site ID: 182168
Operable Unit ID: 998571
Operable Unit: 01
Material ID: 385062
Material Code: 0009
Material Name: gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: 1.00
Units: G
Recovered: .00
Oxygenate: Not reported

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Name: GETTY
Address: 2112 AVENUE Z
City,State,Zip: BROOKLYN, NY
Spill Number/Closed Date: 9413634 / 2005-05-09
Facility ID: 9413634
Site ID: 182169
Spill Date: 1995-01-12
Spill Cause: Tank Test Failure
Spill Source: Gasoline Station or other PBS Facility
Spill Class: C3
Cleanup Ceased: Not reported
SWIS: 2401
Investigator: JBVOUGHT
Referred To: Not reported
Reported to Dept: 1995-01-12
CID: Not reported
Water Affected: Not reported
Spill Notifier: Other

Last Inspection: Not reported
Recommended Penalty: False
Meets Standard: False
UST Involvement: True
Remediation Phase: 0
Date Entered In Computer: 1995-02-01
Spill Record Last Update: 2005-05-09
Spiller Name: Not reported
Spiller Company: GETTY
Spiller Address: Not reported
Spiller County: 001
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Extension: Not reported
DEC Region: 2
DER Facility ID: 152697
DEC Memo: "Prior to Sept, 2004 data translation this spill Lead_DEC Field was
VOUGHT Reassigned fro Sigona to Vought on April 25, 2003.
11/20/2003-Vought-See closed spill #9309371 of odors from this site.
7/27/04-Vought-Spoke to property owner and faxed FOIL request. Arkagy
Nabatov (718-743-0435) 4/29/2005-Vought-Received message from Kay
Diambrosi (718-646-0869). Vought returned call and she is owner of
2624 East 22nd street. Diambrosi is looking to sell property. See
also closed spill #'s: 9108824, 9401301, 9413634, 9501297, 9502664,
and open spill 9309371."

Remarks: "HOLE IN UPPER PORTION IN ONE OF TANKS AND CONTRACTOR TO EXCAVATE
TANK"

All TTF:
Facility ID: 9413634
Spill Number: 9413634
Spill Tank Test: 1543530
Site ID: 182169
Tank Number: Not reported
Tank Size: 0
Material: 0009
EPA UST: Not reported
UST: Not reported
Cause: Not reported
Source: Not reported
Test Method: 00
Test Method 2: Unknown

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Leak Rate: .00
Gross Fail: Not reported
Modified By: Spills
Last Modified Date: Not reported

All Materials:

Site ID: 182169
Operable Unit ID: 1011200
Operable Unit: 01
Material ID: 372376
Material Code: 0009
Material Name: gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: .00

Units: G
Recovered: .00
Oxygenate: Not reported

Name: 2112 AVENUE Z
Address: 2112 AVENUE Z
City,State,Zip: BROOKLYN, NY
Spill Number/Closed Date: 9501297 / 1995-05-15
Facility ID: 9501297
Site ID: 182170
Spill Date: 1995-03-28
Spill Cause: Tank Failure
Spill Source: Gasoline Station or other PBS Facility
Spill Class: C3
Cleanup Ceased: Not reported
SWIS: 2401
Investigator: TOMASELLO
Referred To: Not reported
Reported to Dept: 1995-05-01
CID: Not reported
Water Affected: Not reported
Spill Notifier: DEC
Last Inspection: Not reported
Recommended Penalty: False
Meets Standard: False
UST Involvement: True
Remediation Phase: 0
Date Entered In Computer: 1995-05-18
Spill Record Last Update: 2005-05-09
Spiller Name: Not reported
Spiller Company: UNKNOWN
Spiller Address: Not reported
Spiller County: 999
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Extention: Not reported
DEC Region: 2
DER Facility ID: 152697
DEC Memo: "See also closed spill #'s: 9108824, 9401301, 9413634, 9501297, 9502664, and open spill 9309371."

Remarks: "CONTAMINATED SOIL BEING PILED AT SITE OF TANK REMOVAL, TANKS WERE BEING REMOVED A MONTH AGO - SOIL IS BLOWING AROUND - HAS NOT BEEN REMOVED BY CONTRACTOR."

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All Materials:

Site ID: 182170
Operable Unit ID: 1015698
Operable Unit: 01
Material ID: 369907
Material Code: 0009
Material Name: gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: -1.00
Units: G
Recovered: .00
Oxygenate: Not reported

SPILLS:

Name: GETTY S/S #58412 - GETTY PROPERTIES
Address: 2112 AVENUE Z
City,State,Zip: BROOKLYN, NY
Spill Number/Closed Date: 9309371 / 2006-04-04
Facility ID: 9309371
Facility Type: ER
DER Facility ID: 152697
Site ID: 124497
DEC Region: 2
Spill Cause: Unknown
Spill Class: C3
SWIS: 2401
Spill Date: 1993-11-02
Investigator: rjfeng
Referred To: P&T, SVE SHUTDOWN 4/2005
Reported to Dept: 1993-11-02
CID: Not reported
Water Affected: Not reported
Spill Source: Gasoline Station or other PBS Facility
Spill Notifier: Affected Persons
Cleanup Ceased: Not reported
Cleanup Meets Std: False
Last Inspection: Not reported
Recommended Penalty: False
UST Trust: True
Remediation Phase: 0
Date Entered In Computer: 1994-04-07
Spill Record Last Update: 2006-04-04
Spiller Name: Not reported
Spiller Company: GETTY PETROLEUM
Spiller Address: Not reported
Spiller Company: 999
Contact Name: Not reported
DEC Memo: "Prior to Sept, 2004 data translation this spill Lead_DEC Field was
VOUGHT 10/10/95: This is additional information about material
spilled from the translation of the old spill file: ODOR. 08/23/01
Reassigned from Tomasello to Rommel Spill 0005548 closed and
cross-referenced to this spill (odors during EVR visit.) Address
corrected from 2110 Jerome Avenue to 2101 Avenue Z (as it appears on
the PBS registration. 3/13/03 REASSIGNED FROM ROMMEL TO VOUGHT.
5/9/05-Vought-New file review by Vought: See also closed spill #'s:
9108824, 9401301, 9413634, 9501297, 9502664, 9309371. Status
Report(Fenley & Nicol)-Nov 1993 thru June 1994. Fenley & Nicol(F&N)

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hired by DEC to investigate Rizzutto Residence at 2110 Jerome Avenue due to several complaints were reported to NYSDEC of petroleum vapors in the basement and house of Joseph Rizzuto. F&N immediately installed a Vapor Abatement System(VAS) and five VAS wells in the November of 1993 . Fifteen additional monitoring wells and one recovery well were also installed from Nov to Dec 1993. Free product was also recovered via vacuum truck. A groundwater pump and treat system was also installed and started in March 1994. Weekly well gauging and system maintenance, quarterly groundwater sampling, collection of a free product sample for fingerprinting, collection of monthly water samples from influent and effluent sampling ports of stripper tower, analyses of VAS emissions via portable gas chromatograph. VAS was started on 11/19/93. Groundwater flow to the southwest. Fingerprinting results of product from wells and gasoline from Getty match. Report recommends the installation of one additional monitoring well on Getty property, performance of a slug test and performance of soil borings at new recovery well location. Groundwater analyticals show 68ppb benzene(FN4), 940ppb toluene(FN4), 1100ethylbenzene(FN4), 3900ppb xylene(FN4), 1700ppb MTBE(FN4), 1000ppb benzene(FN5), 590ppb toluene(FN5), 160ppb ethylbenzene(FN5), 1300ppb xylene(FN5), 3700ppb MTBE(FN5), 5ppb toluene(FN6), 13ppb xylene(FN6), 13ppb MTBE(FN6), 69ppb xylene(FN7), 11ppb MTBE(FN7), 65ppb benzene(FN10), 18ppb toluene(FN10), 140ppb xylene(FN10), 290ppb MTBE(FN10), 24ppb MTBE(FN11), 20ppb benzene(FN12), 14ppb toluene(FN12), 76ppb xylene(FN12), 1400ppb MTBE(FN12), 120ppb MTBE(FN13), 46ppb benzene(FN14), 330ppb toluene(FN14), 1000ppb ethylbenzene(FN14), 2900ppb xylene(FN14), 1600ppb MTBE(FN14), 3800ppb benzene(Y1), 16000ppb toluene(Y1), 10000ppb ethylbenzene(Y1), 53000ppb xylene(Y1), 20000ppb MTBE(Y1), 61ppb xylene(Y5), 680ppb benzene(W4), 2600ppb toluene(W4), 2700ppb ethylbenzene(W4), 9900ppb xylene(W4), 7000ppb MTBE(W4), 260ppb benzene(W5), 1200ppb xylene(W5), 17000ppb MTBE(W5), 21ppb MTBE(W6), 9ppb xylene(W7), 770ppb benzene(W10), 850ppb toluene(W10), 1800ppb xylene(W10), 55000ppb MTBE(W10), 190ppb benzene(W11), 17ppb toluene(W11), 66ppb xylene(W11), 6200ppb MTBE(W11), 20ppb benzene(W12), 9ppb toluene(W12), 73ppb MTBE(W12), 16ppb MTBE(W13), 260ppb benzene(W14), 31ppb toluene(W14), 1000ppb xylene(W14), 6700ppb MTBE(W14). Indoor Air Sample Analyticals (Pedneault Assoc)-5/19/04. One air sample was collected from Rizzutto residence(2110 Jerome Ave). In summary all of the parameters detected during this analysis as shown upon the data report, were found in concentrations below the method detection limit of 1.0ug/Kg and therefore present no significant consequence. Letter from Public Advocate(Green)for the City of New York to DEC Atwater-6/1/04. I would appreciate a detailed explanation about the nature of the work in the vicinity of Ms Stone's apartment(2110 Jerome Ave), the results of any tests taken for DEC, and what if any steps DEC is taking to provide information to residents along this block of the work and any risks to their Health . Letter from DEC Atwater to Green-6/10/94. History of investigation and remediation to date (installation of VAS, collection of indoor air samples), copy of indoor analyticals (which were also forwarded to NYCDOH Minishi), installation of groundwater pump and treat system. NYCDOH to prepare review letter. Monthly Influent Analyticals (EcoTest) June 1994 thru August 1994. Monthly Status Report (F&N) July 1994 thru August 1994. Work Proposal (F&N)-9/9/94. Work to be conducted at the site: 1)installation of one soil boring and collection of split spoon samples at new recovery well (RW2) location 2)installation of recovery well 3)trench new well to system 4)operate system. Monthly Monitoring Report (F&N)-Sept 1994. System recovery to date: 953.29

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gallons. Quantity in recovery tank=7 gallons. On 9/8/04 vacuum truck pumped 188.00 gallons. Sheen in FN1,8,9, Y1 and Y3. Meeting Minutes-9/13/04. DEC Tomasello approved the installation of an additional recovery well located near the Getty Station site. Letter from F&N Hale to DEC Tomasello-10/21/94. The purpose of this letter is to provide you with the cost analysis you requested regarding the periodic changes of carbon in the 2000-lb GF Carbon Canister located at the Jerome Ave. site. Monthly Monitoring Reports(F&N) October 1994 thru Dec 1994. Monthly Influent Analyticals (EcoTest) Nov 1994. Groundwater Analyticals (EcoTest) Dec 1994. Meeting Minutes (F&N)-1/5/95. F&N will measure the recharge of floating product from

Recovery Well #2. If recharge is high, F&N will investigate to determine the source of continued floating product. Mostafa will perform research on the use of a thermal oxidizer and present a proposal to Mr. Tomasello. Monthly Influent and Effluent Analyticals for Vapor Extraction System-September 1994 thru December 1994. Semi-Annual Report (F&N) July 1994 thru January 1995. Existing system consists of twenty monitoring wells and two recovery wells, a vapor abatement system and a pump and treat system. Groundwater at a depth of 9' below grade. Site OM&M consists of weekly well gauging, weekly bailing of free product. Soil boring for second recovery well was performed and installation of second recovery well was on 11/11/94. Pump test was performed in Jan 1995 to establish rate of recharge of floating product into the recovery wells. Site maybe tidally influenced. The distribution of dissolved BTEX beneath the site indicates that the plume has been hydraulically been captured by the remediation system. The quantity of product in RW2 after a four hour period suggests that the source of this product is an active leak. Report recommends: 1)current schedule of groundwater monitoring, sampling and quarterly reporting should continue 2)Getty service station should be investigated to determine the source of the floating product currently accumulating in the recovery wells. Groundwater analyticals show: 320ppb benzene(Y1), 7400ppb toluene(Y1), 4000ppb ethylbenzene(Y1), 41000ppb xylene(Y1), 610ppb benzene(FN2), 3500ppb toluene(FN2), 750ppb ethylbenzene(FN2), 5400ppb xylene(FN2), 130ppb MTBE(FN2), 260ppb benzene(FN3), 450ppb toluene(FN3), 20ppb ethylbenzene(FN3), 2000ppb xylene(FN3), 160ppb MTBE(FN3), 87ppb xylene(FN4), 44ppb MTBE(FN5), 10ppb MTBE(W6), 14ppb benzene(FN9), 31ppb xylene(FN9), 8900ppb MTBE(FN9), 110ppb MTBE(FN10), 5ppb xylene(FN12), 38ppb MTBE(FN12). Letter from DEC Tomasello to Getty (Ochotorena)-1/11/95. The Department is now giving formal notice to the Getty Petroleum Corporation that our investigation has concluded that the source of this contamination of the waters of the State has originated from the Getty Service Station at 2112 Avenue Z, Brooklyn, NY. The Getty Petroleum Corporation will be responsible for the reimbursement of all monies expended... Monthly Monitoring Report (F&N) January 1995 thru July 1995. Effluent analysis from Vapor Extraction System (F&N) Jan 1995 thru June 1995. 5/10/04-Vought-Continued File Review: Letter from F&N(Porsche) to DEC Tomasello-2/10/95. Enclosed please find the updated Recovery System as built drawings. Letter from F&N(Ash) to DEC Tomasello-6/2/95. Proposal for the installation of a VES on the Getty Service Station site sidewalk to prevent migration of vapors to the Rizzuto residence. New VES will consist of 3 new 2 VES wells to be tied to the existing monitoring wells onsite. Semi-Annual Report (F&N) January 1995 thru July 1995. Twenty monitoring wells onsite with two recovery wells. Report recommends the current remedial system, the schedule of groundwater monitoring, sampling and quarterly reporting should continue. Groundwater analyticals show 8ppb benzene(FN8),

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13ppb toluene(FN8), 39ppb xylene(FN8), 5ppb benzene(FN9), 5ppb toluene(FN9), 8ppb xylene(FN9), 350ppb benzene(FN10), 700ppb toluene(FN10), 400ppb ethylbenzene(FN10), 1100ppb xylene(FN10), 120ppb MTBE(FN10), 15ppb toluene(Y1), 1800ppb xylene(Y1), 1800ppb benzene(FN4), 100ppb toluene(FN4), 100ppb ethylbenzene(FN4), 330ppb xylene(FN4), 20ppb MTBE(FN4), 610ppb toluene(FN3), 600ppb ethylbenzene(FN3), 1900ppb xylene(FN4), 21ppb MTBE(FN4), 16ppb benzene(FN2), 820ppb toluene(FN2), 960ppb ethylbenzene(FN2), 3700ppb xylene(FN2), 200ppb MTBE(FN2), 450ppb benzene(FN1), 2700ppb toluene(FN1), 300ppb ethylbenzene(FN1), 4700ppb xylene(FN1), 16ppb MTBE(FN1). Monthly Monitoring Reports (F&N) August 1995 thru Sept 1995. Effluent analysis from Vapor Extraction System (F&N) July 1995 thru Sept 1995. Remediation Plan (Tyree Brothers)-9/19/95. Tyree Brothers Inc has been instructed by Getty Petroleum Corp. to request the assumption of responsibilities for all monitoring sampling operation and maintenance of all remediation activities associated with this spill location . Getty Petroleum wishes to enter into a Stipulation Agreement with the NYSDEC... . Getty agrees to take over all of the currently on-going activities associated with the site... . Letter from DEC Tomasello to D'Ambrosi(owner of 2624 East 22nd St)-9/24/95. The Department has determined that property belonging to you is within the affected area . Specific work to be performed includes, but is not limited to, air wuality monitoring within the house, the installation of a soil vapor abatement system on the property side adjacent to 2110 Jerome Avenue . Monthly Monitoring Reports (F&N) August 1995 thru Dec 1995. Effluent analysis from Vapor Extraction System (F&N) Oct 1995 thru Nov 1995. Indoor Air Analyticals (Pedneault Assoc)-10/5/95. Samples collected from 2624 East 22nd Street. Analyticals show 37.9ppb v/v toluene. Semi-Annual Report (F&N) July 1995 thru Dec 1995. A complaint about the petroleum odors from the basement of the next door neighbor of the private residence prompted installatoin of additional soil borings in the yard area. Groundwater samples from these borings indicated high BTEX concentrations. Therefore as per NYSDEC, F&N installed four additional VAS wells in October 1995. Groundwater samples collected semi-annually. Like that of BTEX, the MTBE plume has also migrated toward the VES stack and the recovery system . Report concludes the current reovery system is operating effectively and it should be continued until the cleanup. In addition, the scheduled groundwater monitoring and reporting should continue . Groundwater analyticals show:160ppb benzene(FN1), 4200ppb toluene(FN1), 2100ppb ethylbenzene(FN1), 8100ppb xylene(FN1), 50ppb MTBE(FN1), 74ppb benzene(FN2), 520ppb toluene(FN2), 1600ppb ethylbenzene(FN2), 8500ppb xylene(FN2), 140ppb MTBE(FN2), 19ppb benzene(FN3), 60ppb toluene(FN3), 410ppb xylene(FN3), 5ppb toluene(FN5), 16ppb xylene(FN5), 75ppb benzene(FN8), 280ppb toluene(FN8), 25ppb ethylbenzene(FN8), 2200ppb xylene(FN8), 60ppb MTBE(FN8), 150ppb benzene(FN9), 650ppb toluene(FN9), 440ppb xylene(FN9), 38ppb MTBE(FN9), 11ppb benzene(FN10), 5ppb toluene(FN10), 100ppb xylene(FN10), 8ppb xylene(FN14). Closure Report for the Excavation Of Underground Storage Tanks (Tyree)-January 1996. Removal of twelve (550-gallon) gasoline USTs and one (550-gallon) waste oil UST. Two of the gasoline tanks were previously abandoned. Two of the gasoline tanks which were not in service, had one hole below the fill. The holes were approximately 1 in diameter . 716.26 tons of impacted soil was removed. Seven endpoint soil samples were collected. Soil analyticals show: 1760ppb xylene(east south). Letter from Tyree Brothers-1/14/96. Enclosed please find the analytical data for the stipper tower sampling performed at the above referenced site during

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the month of December 1996 . Stipulation Agreement from DEC Tomasello to Getty Petroleum (Delgadío)-2/9/96. Letter from Getty Petroleum (Jones) to DEC Tomasello-2/16/96. I am enclosing herewith executed Stipulations for the above referenced locations . Signed STIP for 2112 Ave Z included. Monthly Monitoring Reports (F&N) January 1996 thru April 1996. VES Emmission Data (F&N)-2/2/96. Air Stripper Tower Data(Tyree Brothers)-3/24/96. Quarterly Monitoring Reports (Tyree)

April 1996 thru June 1996. Site being used as an active taxi/livery station . Twenty monitoring wells onsite and two recovery wells for pump and treat system. VES(aka SVES) also offsite and operating. Site undergoing monthly gauging. quarterly sampling. Pump and treat system being sampled monthly. Recovery to date of LNAPL is 1766.42 gallons. Groundwater is 6-9' below grade and flow to the south. Groundwater analyticals show 493ppb toluene(W1), 1690ppb ethylbenzene(W1), 7360ppb xylene(W1), 142ppb toluene(W2), 2800ppb ethylbenzene(W2), 12170ppb xylene(W2), 250ppb toluene(W3), 1280ppb ethylbenzene(W3), 6200ppb xylene(W3), 146ppb MTBE(W3), 840ppb toluene(W4), 1220ppb ethylbenzene(W4), 3950ppb xylene(W4), 130ppb MTBE(W4), 6ppb toluene(W5), 42ppb ethylbenzene(W5), 181ppb xylene(W5), 36ppb toluene(W6), 7ppb toluene(W7), 21ppb MTBE(W7), 9ppb benzeen(W8), 53ppb toluene(W8), 17ppb ethylbenzene(W8), 271ppb xylene(W8), 7pp benzene(W9), 17ppb toluene(W9), 21ppb xylene(W9), 24ppb MTBE(W9), 19ppb benzene(W10), 38ppb toluene(W10), 102ppb ethylbenzene(W10), 208ppb xylene(W10), 65ppb MTBE(W11), 134ppb benzene(W16), 1300ppb toluene(W16), 436ppb ethylbenzene(W16), 5170ppb xylene(W16), 19ppb ethylbenzene(W17), 607ppb xylene(W17), 8ppb toluene(W20), 34ppb xylene(W20). Stripper Tower Sampling Data (Tyree Brothers) July 1996 thru August 1996. Letter from Getty (Delgadío) to Attorney General-8/26/96. This letter is in response to your request for an offer from Getty Petroleum Corp. to settle all of the State's past claims for clean up of other costs incurred by the spil fund in connection with the petroleum spill referred to above . Accordingly Getty offers the State reimbursement for its costs during the period of February 7, 1994 through February 23, 1995 in the sum of \$225,000. Letter from New York State Comptrollers Office (Hohenstein) to Getty (Delgadío)-10/3/97. If t is shown that certain costs were inappropriate and went undetected in prior reviews and/or audits, of said costs by representatives of the State of New York, I will consider and reduction in the amount owing for past costs . The penalty amounts demanded will not change . Letter from F&N Blumberg to DEC Tomasello-10/2/96. As per your request the G-5 Carbitrol carbon unit was remvoed from the above referenced site... . Two 55-gallon drums of carbon were installed as replacement. Quarterly Monitoring Reports (Tyree Brothers) July 1996 thru Sept 1996. Synopsis of Activities Conducted to Date (Tyree Brothers)-11/15/96. Air samples were collected from the basement of the Rizzuto residence. Tyree will continue to conduct monthly air testing of the SVE system and the basement of the Rizzuto residence . Air samples show below method detection limits for BTEX. Letter from DEC Tomasello to Tyree Rennie-12/09/96. For VAS system on Rizzuto residence levels from the system after the carbon are the only samples that need to be taken to satisfy air discharge rates. A quarterly sample should be taken from the pipe prior to the treatment system to show what is being removed from the ground . Letter also requires that addressing odor complaints of D'Ambrosi residence and Salimeri residence is taken care of . Stripper Tower Data (Tyree) November 1996. Letter from Tyree Brothers(Rennie) to Salermi Residence(2623 E 21st Street)-1/16/97. This correspondence is in response to to your complaint regarding odors in your basement .

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...Tyree must conduct air monitoring in the basement of your residence . Request for access included in letter. Corrective Action Plan (Tyree Brothers). In June 1995 the city replaced a leaking sewer pipe in Jerome Avenue located between the former Getty station and the Rizzutto residence. 200 tons of soil is removed by the city and disposed of by Getty . Tyree proposed increasing the pumping rate of RW2 and decreasing RW1 rate to pull plume away from Rizzutto residence. Included were figures on the radius of influence calculated during a pumping test. Tyree proposes the periodic additions of hydrogen peroxide to aid in the desorption of the contaminants . Proposal to also check vacuum in onsite wells and to increase blower size to see if soil venting shall be continued due to effluent at non-detect. Stripper Tower Data (Tyree) March 1997. Quarterly Monitoring Reports (Tyree)October 1996 thru December 1997. Stripper Tower Data (Tyree) April 1997 thru October 1997. Letter from NYS Comptroller (Hohenstein) to Getty (Delgadío)-10/1/97. Your previous settlement offer of \$317,500 plus interest at a rate the State pays on its obligations is inadequate . In accordance with your request, a copy of every invoice for spill No. 93-9371 paid by the Fund in 1996 has been sent to you under a separate cover . Biorem Proposal (Tyree Brothers)-12/23/97. Proposal for augmentation of remediation via the addition of H-10 bacteria. Stripper Tower Data (Tyree) December 1997 thru February 1998. Quarterly Monitoring Report (Tyree Org) Jan 1998 thru March 1998. Seventeen monitoring wells onsite, three venting wells and two recovery wells. Monthly well gauging, quarterly sampling, Monthly sampling of influent/effluent from SVES and monthly sampling of influent/effluent from pump and treat system. Groundwater at depth of 7-11' below grade and flow to the southwest. No free product on of offsite. Groundwater analyticals show: 137ppb toluene(FN1), 2360ppb ethylbenzene(FN1), 17000ppb xylene(FN1), 327ppb toluene(RW1), 530ppb ethylbenzene(RW1), 5080ppb xylene(RW1), 35ppb benzene(Y1), 723ppb toluene(Y1), 651ppb ethylbenzene(Y1), 5300ppb xylene(Y1), 73ppb toluene(FN2), 2520ppb ethylbenzene(FN2), 18300ppb xylene(FN2), 76ppv toluene(RW2), 25ppb ethylbenzene(RW2), 178ppb xylene(RW2), 303ppb toluene(FN3), 2070ppb ethylbenzene(FN3), 11700ppb xylene(FN3), 188ppb toluene(FN4), 250ppb ethylbenzene(FN4), 2330ppb xylene(FN4), 33ppb MTBE(FN5), 32ppb MTBE(Y5), 8ppb toluene(FN8), 9ppb ethylbenzene(FN8), 81ppb xylene(FN8), 14ppb toluene(FN10), 16ppb ethylbenzene(FN10), 181ppb MTBE(FN10). Letter from OSC Hohenstein to Getty Delgadío-4/7/98. Regrettably your offer as yet falls short and must be rejected by the New York State Environmental Protection and Spill Compensation Fund . With this letter I refer the two above spill matters back to the office of the Attorney General for litigation. Quarterly Monitoring Reports(Tyree Org) April 1998 thru July 1998. Stripper Tower Data (Tyree) December 1997 thru February 1998. Water Discharge Analyticals (Tyree) May 1998 thru February 1999. Quarterly Monitoring Reports (Tyree Org) July 1998 thru Jan 1999. Letter from Tyree(Rennie) to Salermi residence-4/7/99. ...Tyree must conduct air monitoring in the basement of your residence . Tyree kindly requests access to your residence . Letter from Tyree(Rennie) to D'Ambrosi residence-4/7/99. ...Tyree must conduct air monitoring in the basement of your residence . Tyree kindly requests access to your residence . Letter from Tyree(Rennie) to Rizzutto residence-4/7/99. ...Tyree must conduct air monitoring in the basement of your residence . Tyree kindly requests access to your residence . Quarterly Monitoring Reports (Tyree Org) Jan 1999 thru August 1999. Water Discharge Analyticals (Tyree) June 1999 thru July 1999. Letter from Attorney General to DEC-7/12/99. I am pleased to inform you that I have

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recently received the settlement checks from Getty Properties Corp.... As such I will begin to take the necessary steps to close our files on these cases . 5/11/05-Vought-Continued file review by

Vought: Quarterly Monitoring Reports (Tyree Org) Sept 1999 thru February 2001. Seventeen monitoring wells, three venting wells and two recovery wells. Groundwater at depths of 7-9' below grade and flow to the south. Monthly gauging, quarterly groundwater sampling, monthly effluent sampling of VES and monthly sampling of groundwater pump and treat discharge. Remediation system shut down in October for servicing . Missed SVE sampling for July and August . SVE shut down from Dec 2001 thru Feb 2001 for blower/piping repairs . Groundwater analyticals show: 51ppb toluene(FN1), 561ppb ethylbenzene(FN1), 6770ppb xylene(FN1), 95ppb ethylbenzene(FN1), 1086ppb xylene(FN1), 19ppb MTBE(FN2), 16ppb toluene(FN3), 12ppb xylene(FN3), 6ppb toluene(FN4), 62ppb ethylbenzene(FN4), 119ppb xylene(FN4), 22ppb ethylbenzene(FN10), 38ppb xylene(FN10), 41ppb ethylbenzene(Y1), 486ppb xylene(Y1), Dry(Y2), 12ppb ethylbenzene(Y3), 60ppb xylene(Y3), dry(Y5). Letter from Tyree Org to DEC Rommel-6/15/01. Request to remove wells 7, 12, 13 and 15 from the monitoring/sampling regimen, leaving wells 1-6, 8-11 and 14. Influent sampling will be changed to quarterly . weekly system component maintenance schedule is to be scaled back to Bi-monthly . These changed will be effected as of July 1, 2001. Quarterly Monitoring Reports (Tyree Org) March 2001 thru February 2004. Seventeen monitoring wells, three venting wells and two recovery wells. Groundwater at depths of 8-9' below grade and flow to the south. Quarterly gauging, quarterly groundwater sampling. Groundwater analyticals from 2/04 show: 14ppb ethylbenzene(FN1), 99ppb xylene(FN1), 21ppb ethylbenzene(FN2), 60ppb xylene(FN2), 38ppb ethylbenzene(FN2), 94ppb xylene(FN2), 6ppb xylene(FN10), 37ppb ethylbenzene(FN14), 73ppb xylene(FN14), 33ppb toluene(Y1), 415ppb ethylbenzene(Y1), 2650ppb xylene(Y1), Dry(Y2). Fax from HydroTech (Devoe 631-462-5866) for Spill #0501198 located at 2624 East 22nd Street-5/6/05. Three borings performed and three water samples and one soil sample collected. Soil analyticals show no TAGM 4046 Soil Cleanup Objective exceedence. Groundwater analyticals show 185ppb ethylbenzene(GP3), 774ppb xylene(GP3), 1080ppb 1,2,4-trimethylbenzene(GP3), 9ppb ethylbenzene(GP4), 17ppb xylene(GP4), 170ppb 1,2,4-trimethylbenzene(GP4). DEC requires: 1)submission of well development/purge logs from HydroTech 2)scaled site plan with boring locations and property boundaries from HydroTech 3)resampling of locations by Tyree 4)installation of vapor barrier by HydroTech and submission of building plans so that wells may be installed by Tyree at locations of exceedence. Vought called D'Ambrosi (718-646-0869)and informed her of requirements. Vought sent letter to HydroTech for site plan and installation of vapor barrier and cc'd Getty, D'Ambrosi and Banthitta. Vought also sent requirement letter to Getty for soil borings/well installation and future purging logs and cc'd HydroTech, Banthitta and D'Ambrosi. Vought called Devoe (HydroTech) and spoke with Robbins and work was performed for potential purchaser. Potential purchaser info is Mario Banthitta. Vought called Joe Rennie, informed him of letter and will fax him Hydrotech results with letter. 6/1/05-Vought-Called Mark Robbins for status of scaled site plan and DEC will receive site plan by today. Vought spoke to D'Ambrosi and her attorney is Guy Guiliano (718-645-2251 718-645-7004). Vought received copy of site plan and forwarded to Delta and Tyree with analyticals. Vought spoke with DEC Urda and Oliva and will send letter stating that Department is not requiring soil excavation as part of remediation upon receiving letter from D'Amborsis's attorney regarding necessity of soil

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excavation as part of remediation. Vought called Guy Guiliano and no answer at either phone number. 6/2/05-Vought-Called Guy Guilano and spoke to his secretary and left message to send letter to DEC with request. 6/3/05-Vought-Received letter from Guy Giuliano dated 6/2/05. I represent Katharine D'Ambrosi in the sale of the above mentioned premises. I would like some information as to the status of the problem as to the groundwater contamination and any results of tests that were conducted. Vought sent letter stating that with respect to groundwater contamination, the state was requiring the continued monitoring of wells onsite and had no requirements with respect to the soil and the soil source was offsite. 3/14/05-Vought-Received call from Micheal Prober (917-771-5558) who is potential purchaser of 2624 East 22nd Street who did not hire Hydro Tech who was asking about site requirements. 6/23/05-Vought-Received call from Getty Shea that he will hold meeting with developers of 2624 East 22nd st and get back to DEC with results in late July. 7/22/05-Vought-Received call from Chris D'Ambrosi (718-646-0869). Vought returned call and meeting set up at DEC for 7/25 at 10am to discuss site development. Vought called Shea for status of meeting and left message to return call. Vought received message from Lindell returning call to Shea. Vought called Lindell and he will be available on 7/25/04 to discuss site via teleconference. 7/25/05-Vought-Spoke to Paul Lindell and required installation of soil borings at former HydroTech boring locations. Lindell agreed to perform borings. 9/16/05-Vought-Received call from Kay D'Ambrosi (718-646-0863) regarding status of borings performed by Lindell. Vought referred call to DEC Obligado. 9/28/2005 - Feng - Quarterly Monitoring Report from Tyree for June 2005 thru Aug 2005. 17 monitoring wells, 3 monitoring/venting wells and 2 recovery wells were on and off site. Groundwater depth is 8.66' to 6.77' below grade and flow southerly. NO LNAPL detected. Most of the MTBE concentration are low or below detection limit. For total BTEX, 45ppb (FN-1), 15ppb (FN-2), 161ppb (FN-3), and 23ppb (FN-4). 9/28/2005 - Feng - Subsurface Investigation Report from Tyree for work that was conducted at the D'Ambrosi residence associated with this spill, dated August 15, 2005. Soil Boring were performed on August 4, 2005. There were some VOCs and SVOCs detected in the groundwater samples. Listing below were the concentration that exceeded the TAGM 4046 groundwater standard, for monitoring well(DR-1), Ethylbenzene was 118ppb, Xylenes was 764ppb, Isopropylbenzene was 32.2ppb, n-Propylbenzene was 135ppb, 1,3,5-Trimethylbenzene was 250ppb, 1,2,4-Trimethylbenzene was 763ppb, sec-Butylbenzene was 12.4ppb, n-Butylbenzene was 36.8ppb and Naphthalene was 44.2ppb. for monitoring well(DR-2), Xylenes was 6.69ppb, n-Propylbenzene was 13.8ppb, 1,3,5-Trimethylbenzene was 35.2ppb, 1,2,4-Trimethylbenzene was 94.4ppb, sec-Butylbenzene was 6.26ppb, n-Butylbenzene was 11.1ppb and Naphthalene was 44.2ppb. 10/3/2005 - Feng - Discussed with DEC Vought regarding the groundwater contamination that found in the D'Ambrosi residence (DR-1), he suggested keep monitoring the groundwater. Emailed to Tyree Joe Rennie and inquired the cleanup plan of this site 1/17/2006 - Feng - Quarterly Monitoring Report, 9/2005 - 11/2005. The site is currently a motor vehicle service station. Groundwater flows to south at depth of 6.56' to 8.51' below grade. There are 17 monitoring wells, 3 monitoring/venting wells, and 2 recovery wells. Most of the BTEX and MTBE concentration are low. FN-2, 44 ppb BTEX. Pump-and-Treat, and SVE system shut down on 4/2005. Monitoring only. (RJF) 3/24/2006 - Feng - Quarterly Monitoring Report, 12/2005 - 2/2006. The site is currently a motor vehicle service station. Groundwater flows to south at depth of 6.70'

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to 8.60' bg. 17 monitoring wells, 3 monitoring/venting wells, and 2 recovery wells. 12 monitoring wells are active. BTEX and MTBE concentration are low in most of the wells. FN-2, 46 ppb BTEX. FN-3, 24 ppb BTEX. DR-1, 10 ppb BTEX. (RJF) 4/4/2006 - Feng - Discussed with DEC Joe Sun for spill closure. The site has been monitoring for 4 consecutive quarters since the Dual Phase Extraction system shut down in 4/2005. Low concentration has detected and no concentration rebound has observed. DEC Jeff Vought has sent the letter to Mario Banthitta, the new owner of the property at 2624 East 22nd Street, Brooklyn, NY (the former D'Ambrosi's house) on 4/11/2005 and requesting installation of vapor barrier for the development of the property. For low groundwater concentration and the new owner's awareness of vapor barrier installation, spill closed. NFA to Getty and cc to Tyree and Delta. (RJF) "

Remarks:

"STRONG ODORS FROM S/S ACROSS STREET ODORS MAKING CALLER & FAMILY NAUSIOUS- CALLED CON ED SAID IT IS GASOLINE WANT CALLBACK."

All Materials:

Site ID: 124497
Operable Unit ID: 990917
Operable Unit: 01
Material ID: 392027
Material Code: 0009
Material Name: gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: 1.00
Units: G
Recovered: .00
Oxygenate: Not reported

RCRA NonGen / NLR:

Date form received by agency: 2007-01-01 00:00:00.0
Facility name: GETTY PETROLEUM CORP
Facility address: 2112 AVE Z
BROOKLYN, NY 11235-2812
EPA ID: NYR000004036
Mailing address: JERICO TNP
JERICO, NY 11735
Contact: Not reported
Contact address: JERICO TNP
JERICO, NY 11735
Contact country: US
Contact telephone: Not reported
Contact email: Not reported
EPA Region: 02
Classification: Non-Generator
Description: Handler: Non-Generators do not presently generate hazardous waste

Owner/Operator Summary:

Owner/operator name: GETTY PETROLEUM CORP
Owner/operator address: 125 JERICO TNP
JERICO, NY 11735
Owner/operator country: US
Owner/operator telephone: 516-338-6000
Owner/operator email: Not reported
Owner/operator fax: Not reported
Owner/operator extension: Not reported

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Legal status: Private
Owner/Operator Type: Operator
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Owner/operator name: GETTY PETROLEUM CORP
Owner/operator address: 125 JERICO TNP
JERICO, NY 11735
Owner/operator country: US
Owner/operator telephone: 516-338-6000
Owner/operator email: Not reported
Owner/operator fax: Not reported
Owner/operator extension: Not reported
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:

U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

Historical Generators:

Date form received by agency: 2006-01-01 00:00:00.0
Site name: GETTY PETROLEUM CORP
Classification: Not a generator, verified

Date form received by agency: 1999-07-08 00:00:00.0
Site name: GETTY PETROLEUM CORP
Classification: Not a generator, verified

Date form received by agency: 1995-05-02 00:00:00.0
Site name: GETTY PETROLEUM CORP
Classification: Small Quantity Generator

Hazardous Waste Summary:

. Waste code: D000
. Waste name: Not Defined

. Waste code: D001
. Waste name: IGNITABLE WASTE

. Waste code: D018
. Waste name: BENZENE

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Violation Status: No violations found

NY MANIFEST:

Name: GETTY PETROLEUM CORP
Address: 2112 AVE Z
City,State,Zip: BROOKLYN, NY 11235-2812
Country: USA
EPA ID: NYR000004036
Facility Status: Not reported
Location Address 1: 2112 AVENUE Z
Code: BP
Location Address 2: Not reported
Total Tanks: Not reported
Location City: BROOKLYN
Location State: NY
Location Zip: 11204
Location Zip 4: Not reported

NY MANIFEST:

EPAID: NYR000004036
Mailing Name: GETTY PETROLEUM CORP
Mailing Contact: STEVE GORDON
Mailing Address 1: 2112 AVENUE Z
Mailing Address 2: Not reported
Mailing City: BROOKLYN
Mailing State: NY
Mailing Zip: 11204
Mailing Zip 4: Not reported
Mailing Country: USA
Mailing Phone: 8006458265

NY MANIFEST:

Document ID: MAG2629390
Manifest Status: C
seq: Not reported
Year: 1995
Trans1 State ID: CT2142A
Trans2 State ID: ME620895
Generator Ship Date: 08/23/1995
Trans1 Recv Date: 08/23/1995
Trans2 Recv Date: 08/26/1995
TSD Site Recv Date: 08/28/1995
Part A Recv Date: 09/13/1995
Part B Recv Date: 09/14/1995
Generator EPA ID: NYR000004036
Trans1 EPA ID: MAD039322250
Trans2 EPA ID: MAD039322250
TSDF ID 1: MAD053452637
TSDF ID 2: Not reported
Manifest Tracking Number: Not reported
Import Indicator: Not reported
Export Indicator: Not reported
Discr Quantity Indicator: Not reported
Discr Type Indicator: Not reported
Discr Residue Indicator: Not reported
Discr Partial Reject Indicator: Not reported
Discr Full Reject Indicator: Not reported
Manifest Ref Number: Not reported
Alt Facility RCRA ID: Not reported
Alt Facility Sign Date: Not reported

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MGMT Method Type Code: Not reported
Waste Code: D001 - NON-LISTED IGNITABLE WASTES
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Waste Code: Not reported
Quantity: 00220
Units: G - Gallons (liquids only)* (8.3 pounds)
Number of Containers: 004
Container Type: DM - Metal drums, barrels
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 100